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PRE-APPEAL BRIEF REQUEST FOR REVIEW

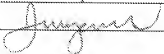
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on April 25, 2006

Signature



Typed or printed name Jinny Nguyen

Application Number

09/734,403

Filed

March 8, 2001

First Named Inventor

Bruce BENFIELD et al.

Art Unit

2131

Examiner

Aravind K. Moorthy

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/06)

☒

attorney or agent of record.

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NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

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Total of _____ forms are submitted.

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Jithy Nguyen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	Date: April 25, 2006
Bruce BENFIELD et al.	Confirmation No: 5418
Serial No: 09/734,403	Group Art Unit: 2131
Filed: March 8, 2001	Examiner: Aravind K. Moorthy
For:	METHOD AND SYSTEM FOR INTEGRATING ENCRYPTION FUNCTIONALITY INTO A DATABASE SYSTEM

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Commissioner for Patents
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

In the present application, the independent claims (claims 1, 8, 15, 21, and 25) stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,421,703 ("Steinmetz").

Applicant respectfully submits that the rejections are improper since Steinmetz fails to disclose a limitation recited in each of the independent claims and, therefore, a *prima facie* case of anticipation has not been established.

Claim 1 recites a method for integrating encryption functionality into a database system. In particular, the method includes providing at least two functions to support data encryption in a

database system, and utilizing the at least two functions within structured query language statements (emphasis added).

The Examiner has rejected claim 1 based on Steinmetz's use of a "cnrm function". Specifically, Steinmetz discloses utilizing a key -- or an electronic device 7 -- that is detectable by corresponding software program(s) during execution of the software program(s) (col. 1, ll. 42-46; FIG. 1). Codes can be read from or written to the key by calling upon a function (function cnrm) that is in the form of: result=cnrm(var1, var2, ... varn) with $n \geq 3$. Steinmetz discloses, however, that the cnrm function is built into an object file (.OBJ) to be used by programs written in compiled languages (C or PASCAL), or a dynamic library file (.DLL) to be used by programs written in interpreted or semicompiled languages (VISUAL BASIC, WINDEV) (col. 2, ll. 36-45).

Steinmetz fails to disclose utilizing a function to support data encryption in a database system within a structured query language (SQL) statement. Instead, as discussed above, Steinmetz discloses that the cnrm function is implemented in C, PASCAL, VISUAL BASIC or WINDEV (see col. 8, l. 65- col. 9, l. 3). Steinmetz further fails to disclose that the cnrm function -- or any of the functions associated with the cnrm function -- can be used within a structured query language (SQL) statement.

As the Applicant's specification explains, Relational DataBase Management System (RDBMS) software typically use a Structured Query Language (SQL) interface. The SQL interface has evolved into a standard language for RDBMS software and has been adopted as such by both the American National Standards Organization (ANSI) and the International Standards Organization (ISO) (specification, page 2, lines 2-6). Steinmetz fails in general to disclose using SQL -- or SQL statements -- with respect to database management.

Moreover, in the Advisory Action of April 12, 2006, the Examiner states that "Steinmetz teaches using a structured language that contains at least two functions". Even assuming, *arguendo*, that the Examiner is correct, Steinmetz fails to disclose using at least two functions within a structured query language statement, as required by each of the independent claims.

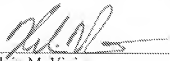
Applicant respectfully submits, therefore, that each of the independent claims (claims 1, 8, 15, 21, and 25), and the claims that depend therefrom, are allowable over Steinmetz.

Conclusion

On the basis of the above remarks, reconsideration of the 102 rejections is respectfully requested.

Respectfully submitted,
SAWYER LAW GROUP LLP

April 25, 2006
Date


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